

MESSAGE NO: 4201204 MESSAGE DATE: 07/19/2004

MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-475-827

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2003 TO 12/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTO. LIQ. INSTRUCT. -CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL
PLATE - ITALY(C-475-827) (ILVA SPA (ILVA) -001, PALINI AND BERTOLI -002, ALL OTHERS -
000)

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PERIOD COVERED: 01 01 2003 TO 12 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: AUTO. LIQ. INSTRUCT. -CERTAIN CUT-TO-LENGTH CARBON
QUALITY STEEL PLATE - ITALY(C-475-827) (ILVA SPA (ILVA)
-001, PALINI AND BERTOLI -002, ALL OTHERS -000)

1. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER
FOR CERTAIN CUT-TO-LENGTH CARBON QUALITY STEEL PLATE FROM ITALY
(C-475-827) FOR THE PERIOD 01/01/2003 THROUGH 12/31/2003.

2. THE MERCHANDISE COVERED BY THESE INSTRUCTIONS ARE CERTAIN
HOT-ROLLED CARBON-QUALITY STEEL: (1) UNIVERSAL MILL PLATES
(I.E., FLAT-ROLLED PRODUCTS ROLLED ON FOUR FACES OR IN A CLOSED

BOX PASS, OF A WIDTH EXCEEDING 150 MM BUT NOT EXCEEDING 1250 MM, AND OF A NOMINAL OR ACTUAL THICKNESS OF NOT LESS THAN 4 MM, WHICH ARE CUT-TO-LENGTH (NOT IN COILS) AND WITHOUT PATTERNS IN RELIEF), OF IRON OR NON-ALLOY-QUALITY STEEL; AND (2) FLAT-ROLLED PRODUCTS, HOT-ROLLED, OF A NOMINAL OR ACTUAL THICKNESS OF 4.75 MM OR MORE AND OF A WIDTH WHICH EXCEEDS 150 MM AND MEASURES AT LEAST TWICE THE THICKNESS, AND WHICH ARE CUT-TO-LENGTH (NOT IN COILS).

STEEL PRODUCTS TO BE INCLUDED IN THIS SCOPE ARE OF RECTANGULAR, SQUARE, CIRCULAR OR OTHER SHAPE AND OF RECTANGULAR OR NON-RECTANGULAR CROSS-SECTION WHERE SUCH NON-RECTANGULAR CROSS-SECTION IS ACHIEVED SUBSEQUENT TO THE ROLLING PROCESS (I.E., PRODUCTS WHICH HAVE BEEN "WORKED AFTER ROLLING") FOR EXAMPLE, PRODUCTS WHICH HAVE BEEN BEVELED OR ROUNDED AT THE EDGES, STEEL PRODUCTS THAT MEET THE NOTED PHYSICAL CHARACTERISTICS THAT ARE PAINTED, VARNISHED OR COATED WITH PLASTIC OR OTHER NON-METALLIC SUBSTANCES ARE INCLUDED WITHIN THIS SCOPE. ALSO, SPECIFICALLY INCLUDED IN THIS SCOPE ARE HIGH STRENGTH, LOW ALLOY (HSLA) STEELS. HSLA STEELS ARE RECOGNIZED AS STEELS WITH MICRO-ALLOYING LEVELS OF ELEMENTS SUCH AS CHROMIUM, COPPER, NIOBIUM, TITANIUM, VANADIUM, AND MOLYBDENUM.

STEEL PRODUCTS TO BE INCLUDED IN THIS SCOPE, REGARDLESS OF HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) DEFINITIONS, ARE PRODUCTS IN WHICH: (1) IRON PREDOMINATES, BY WEIGHT, OVER EACH OF THE OTHER CONTINUED ELEMENTS, (2) THE CARBON CONTENT IS TWO PERCENT OR LESS, BY WEIGHT, AND (3) NONE OF THE ELEMENTS LISTED BELOW IS EQUAL TO OR EXCEEDS THE QUALITY, BY WEIGHT, RESPECTIVELY INDICATED:

1.80 PERCENT OF MANGANESE, OR
1.50 PERCENT OF SILICON, OR
1.00 OF COPPER, OR
0.50 PERCENT OF ALUMINUM, OR
1.25 PERCENT OF CHROMIUM, OR
0.30 PERCENT OF COBALT, OR
0.40 PERCENT OF LEAD, OR
1.25 PERCENT OF NICKEL, OR

0.30 PERCENT OF TUNGSTEN, OR
0.10 PERCENT OF MOLYBDENUM, OR
0.10 PERCENT OF NIOBIUM, OR
0.41 PERCENT OF TITANIUM, OR
0.15 PERCENT OF VANADIUM, OR
0.15 PERCENT ZIRCONIUM.

ALL PRODUCTS THAT MEET THE WRITTEN PHYSICAL DESCRIPTION, AND IN WHICH THE CHEMISTRY QUANTITIES DO NOT EQUAL OR EXCEED ANY ONE OF THE LEVELS LISTED ABOVE, ARE WITHIN THE SCOPE OF THESE ORDERS UNLESS OTHERWISE SPECIFICALLY EXCLUDED. THE FOLLOWING PRODUCTS ARE SPECIFICALLY EXCLUDED FROM THESE ORDERS: (1) PRODUCTS CLAD, PLATED, OR COATED WITH METAL, WHETHER OR NOT PAINTED, VARNISHED OR COATED WITH PLASTIC OR OTHER NON-METALLIC SUBSTANCES; (2) SAE GRADES (FORMERLY AISI GRADES) OF SERIES 2300 AND ABOVE; (3) PRODUCTS MADE TO ASTM A710 AND A736 OR THEIR PROPRIETARY EQUIVALENTS; (4) ABRASION-RESISTANT STEELS (I.E., USS AR 400, USS AR 500); (5) PRODUCTS MADE TO ASTM A202, A225, A514 GRADE S, A517 GRADE S, OR THEIR PROPRIETARY EQUIVALENTS; (6) BALL BEARING STEELS; (7) TOOL STEELS; AND (8) SILICON MANGANESE STEEL OR SILICON ELECTRIC STEEL.

THIS MERCHANDISE IS CURRENTLY PROVIDED FOR UNDER HARMONIZED TARIFF SCHEDULE ITEM NUMBERS: 7208.40.3030, 7208.40.3060, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, 7212.50.0000, 7225.40.3050, 7225.40.7000, 7225.50.6000, 7225.99.0090, 7226.91.5000, 7226.91.7000, 7226.91.8000, AND 7226.99.0000. THESE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES,

HOWEVER, THE WRITTEN DESCRIPTION OF THE MERCHANDISE SUBJECT TO THIS ORDER IS DISPOSITIVE.

3. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES AT

RATES EQUAL TO THE CASH DEPOSIT OF ESTIMATED COUNTERVAILING DUTIES REQUIRED AT THE TIME OF ENTRY ON THE SPECIFIED SUBJECT MERCHANDISE EXPORTED ON OR AFTER 01/01/2003 AND ON OR BEFORE 12/31/2003.

4. THE RATES OF ESTIMATED COUNTERVAILING DUTIES WHICH WERE REQUIRED TO BE DEPOSITED ARE:

CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM ITALY

| MANUFACTURER | CASE NUMBER | PERIOD | RATE |
|--------------|-------------|--------|------|
|--------------|-------------|--------|------|

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|------------------|---------------|---------------------|--------|
| ILVA SPA (ILVA)/ | C-475-827-001 | 1/1/2003-11/06/2003 | 26.12% |
|------------------|---------------|---------------------|--------|

| | | | |
|----------------|--|----------------------|-------|
| ILVA LAMIERE E | | 11/7/2003-12/31/2003 | 3.44% |
|----------------|--|----------------------|-------|

TUBI SPA (ILT)

PALINI AND BERTOLI C-475-827-002 1/1/2003-12/31/2003 EXCLUDED

| | | | |
|------------|---------------|---------------------|--------|
| ALL OTHERS | C-475-827-000 | 1/1/2003-11/06/2003 | 26.12% |
|------------|---------------|---------------------|--------|

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|--|--|----------------------|-------|
| | | 11/7/2003-12/31/2003 | 3.44% |
|--|--|----------------------|-------|

5. THE SUSPENSION OF LIQUIDATION ORDERED FOR THE MERCHANDISE LISTED ABOVE EXPORTED ON OR BEFORE 12/31/2003 IS LIFTED. THE SUSPENSION OF LIQUIDATION FOR ALL SHIPMENTS OF THE MERCHANDISE LISTED ABOVE EXPORTED AFTER 12/31/2003 WILL CONTINUE.

6. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE U.S CUSTOMS AND BORDER PROTECTION (CBP) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE ENTRY DATE OR DATE OF DEPOSIT WHICHEVER IS LATER, OR ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE

OF 1954 FOR SUCH PERIOD.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT DAVINA HASHIMI OR RON TRENTAM AT THE OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE (202) 482-0984 OR (202) 482-3577 RESPECTIVELY. (GENERATED BY G3:GL).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party